

AMENDMENT TO H.R. 915
OFFERED BY MR. OBERSTAR OF MINNESOTA

Page 7, after line 8, insert the following:

1 (b) ALLOCATIONS OF FUNDS.—Section 48103 is
2 amended—

3 (1) by striking “The total amount” and insert-
4 ing “(a) AVAILABILITY OF AMOUNTS.—The total
5 amount”; and

6 (2) by adding at the end the following:

7 “(b) AIRPORT COOPERATIVE RESEARCH PRO-
8 GRAM.—Of the amounts made available under subsection
9 (a), \$15,000,000 for each of fiscal years 2009 through
10 2012 may be used for carrying out the Airport Coopera-
11 tive Research Program.

12 “(c) AIRPORTS TECHNOLOGY RESEARCH.—Of the
13 amounts made available under subsection (a),
14 \$19,348,000 for each of fiscal years 2009 through 2012
15 may be used for carrying out airports technology re-
16 search.”.

Page 7, line 9, strike “(b)” and insert “(c)”.

Page 10, after line 6, insert the following:

1 “(j) CENTER FOR ADVANCED AVIATION SYSTEM DE-
2 VELOPMENT.—Of amounts appropriated under subsection
3 (a), \$76,000,000 for fiscal year 2009, \$79,000,000 for fis-
4 cal year 2010, \$79,000,000 for fiscal year 2011, and
5 \$80,800,000 for fiscal year 2012 may be used for the Cen-
6 ter for Advanced Aviation System Development.

Page 10, line 7, strike “(j)” and insert “(k)”.

Page 11, strike lines 3 through 11, and insert the
following:

7 (b) AUTHORIZED EXPENDITURES.—Section
8 106(k)(2) is amended—
9 (1) by striking subparagraph (A) and inserting
10 the following:
11 “(A) Such sums as may be necessary for
12 fiscal years 2009 through 2012 to support de-
13 velopment and maintenance of helicopter ap-
14 proach procedures, including certification and
15 recertification of instrument flight rule, global
16 positioning system, and point-in-space ap-
17 proaches to heliports necessary to support all
18 weather, emergency services;”;
19 (2) by striking subparagraphs (B), (C), and
20 (D);

1 (3) by redesignating subparagraphs (E), (F),
2 and (G) as subparagraphs (B), (C), and (D) respec-
3 tively; and
4 (4) in subparagraphs (B), (C), and (D) (as so
5 redesignated) by striking “2004 through 2007” and
6 inserting “2009 through 2012”.

Page 12, line 7, strike the dollar amount and insert
“\$212,929,000”.

Page 13, strike line 24 and all that follows through
line 10 on page 14.

Page 14, line 11, strike the dollar amount and insert
“\$214,587,000”.

Page 16, strike lines 3 through 14.

Page 16, line 15, strike the dollar amount and insert
“\$225,993,000”.

Page 17, line 21, insert “\$” before the dollar
amount.

Page 18, strike lines 8 through 19.

Page 18, line 20, strike the dollar amount and insert
“\$244,860,000”.

Page 20, strike lines 12 through 23.

Page 21, lines 11 and 17, strike “95” and insert “90”.

Page 25, after line 4, insert the following (and redesignate subsequent sections, and conform the table of contents, accordingly):

1 **SEC. 113. AWARD OF ARCHITECTURAL AND ENGINEERING**
2 **CONTRACTS FOR AIRSIDE PROJECTS.**

3 (a) IN GENERAL.—Section 40117(d) is amended—

4 (1) by striking “and” at the end of paragraph
5 (3);

6 (2) by striking the period at the end of para-
7 graph (4) and inserting “; and”; and

8 (3) by adding at the end the following:

9 “(5) in the case of an application to finance a
10 project to meet the airside needs of the airport, the
11 application includes written assurances, satisfactory
12 to the Secretary, that each contract and subcontract
13 for program management, construction management,
14 planning studies, feasibility studies, architectural
15 services, preliminary engineering, design, engineer-
16 ing, surveying, mapping, and related services will be
17 awarded in the same way that a contract for archi-
18 tectural and engineering services is negotiated under
19 chapter 11 of title 40 or an equivalent qualifications-

1 based requirement prescribed for or by the eligible
2 agency.”.

3 (b) APPLICABILITY.—The amendment made by sub-
4 section (a) shall apply to an application submitted to the
5 Secretary of Transportation by an eligible agency under
6 section 40117 of title 49, United States Code, after the
7 date of enactment of this Act.

Page 35, line 8, strike “and developing” and insert
“, developing”.

Page 37, after line 2, insert the following (and re-
designate subsequent sections, and conform the table of
contents, accordingly):

8 **SEC. 132. SOLID WASTE RECYCLING PLANS.**

9 (a) AIRPORT PLANNING.—Section 47102(5) (as
10 amended by section 131(b) of this Act) is amended by in-
11 serting before the period at the end the following: “, and
12 planning to minimize the generation of, and to recycle, air-
13 port solid waste in a manner that is consistent with appli-
14 cable State and local recycling laws”.

15 (b) MASTER PLAN.—Section 47106(a) is amended—
16 (1) by striking “and” at the end of paragraph
17 (4);
18 (2) by striking the period at the end of para-
19 graph (5) and inserting “; and”; and

1 (3) by adding at the end the following:
2 “(6) in any case in which the project is for an
3 airport that has an airport master plan, the master
4 plan addresses the feasibility of solid waste recycling
5 at the airport and minimizing the generation of solid
6 waste at the airport.”.

Page 43, after line 23, insert the following (and re-designate subsequent sections, and conform the table of contents, accordingly):

7 **SEC. 137. MINORITY AND DISADVANTAGED BUSINESS PAR-**
8 **TICIPATION.**

9 Section 47113 is amended by adding at the end the
10 following:

11 “(e) PERSONAL NET WORTH CAP.—

12 “(1) REGULATIONS.—Not later than 180 days
13 after the date of enactment of this subsection, the
14 Secretary shall issue final regulations to adjust the
15 personal net worth cap used in determining whether
16 an individual is economically disadvantaged for pur-
17 poses of qualifying under the definition contained in
18 subsection (a)(2). The regulations shall correct for
19 the impact of inflation since the Small Business Ad-
20 ministration established the personal net worth cap
21 at \$750,000 in 1989.

1 “(2) ANNUAL ADJUSTMENT.—Following the ini-
2 tial adjustment under paragraph (1) , the Secretary
3 shall adjust, on June 30 of each year thereafter, the
4 personal net worth cap to account for changes, oc-
5 curring in the preceding 12-month period, in the
6 Consumer Price Index of All Urban Consumers
7 (United States city average, all items) published by
8 the Secretary of Labor.”.

Page 49, strike lines 11 through 13, and insert the
following:

9 **SEC. 144. AIRPORT SECURITY PROGRAM.**

10 (a) GENERAL AUTHORITY.—Section 47137(a) is
11 amended by inserting “, in consultation with the Secretary
12 of Homeland Security,” after “Transportation”.

13 (b) IMPLEMENTATION.—Section 47137(b) is amend-
14 ed to read as follows:

15 “(b) IMPLEMENTATION.—

16 “(1) IN GENERAL.—In carrying out this sec-
17 tion, the Secretary of Transportation shall provide
18 funding through a grant, contract, or another agree-
19 ment described in section 106(l)(6) to a nonprofit
20 consortium that—

21 “(A) is composed of public and private per-
22 sons, including an airport sponsor; and

1 “(B) has at least 10 years of demonstrated
2 experience in testing and evaluating anti-ter-
3 rorist technologies at airports.

4 “(2) PROJECT SELECTION.—The Secretary
5 shall select projects under this subsection that—

6 “(A) evaluate and test the benefits of inno-
7 vative aviation security systems or related tech-
8 nology, including explosives detection systems,
9 for the purpose of improving aviation and air-
10 craft physical security, access control, and pas-
11 senger and baggage screening; and

12 “(B) provide testing and evaluation of air-
13 port security systems and technology in an
14 operational, testbed environment.”.

15 (c) MATCHING SHARE.—Section 47137(c) is amend-
16 ed by inserting after “section 47109” the following: “or
17 any other provision of law”.

18 (d) ADMINISTRATION.—Section 47137(e) is amended
19 by adding at the end the following: “The Secretary may
20 enter into an agreement in accordance with section
21 106(m) to provide for the administration of any project
22 under the program.”.

23 (e) ELIGIBLE SPONSOR.—Section 47137 is amended
24 by striking subsection (f) and redesignating subsection (g)
25 as subsection (f).

1 (f) AUTHORIZATION OF APPROPRIATIONS.—Section
2 47137(f) (as so redesignated) is amended by striking
3 “\$5,000,000” and inserting “\$8,500,000”.

Page 57, after line 10, add the following (and conform the table of contents accordingly):

4 **SEC. 151. AIRPORT MASTER PLANS.**

5 Section 47101 is amended by adding at the end the
6 following:

7 “(i) ADDITIONAL GOALS FOR AIRPORT MASTER
8 PLANS.—In addition to the goals set forth in subsection
9 (g)(2), the Secretary shall encourage airport sponsors and
10 State and local officials, through Federal Aviation Admin-
11 istration advisory circulars, to consider customer conven-
12 ience, airport ground access, and access to airport facili-
13 ties in airport master plans.”.

Page 68, line 25, strike “and”.

Page 69, line 3, strike the first period and all that follows through the final period and insert “; and”.

Page 69, after line 3, insert the following:

14 “(H) a description of potentially signifi-
15 cant operational or workforce changes resulting
16 from deployment of the Next Generation Air
17 Transportation System.”.

Page 72, line 13, strike “discussion of” and insert “detailed description of the”.

Page 81, line 19, after “procedures” insert “, including public use procedures,”.

Page 82, lines 3 and 4, strike “provide” and all that follows through “party” and insert the following: “provide safety oversight functions, which may include quality assurance processes, flight checks, integration of procedures into the National Aviation System, and operational assessments of procedures developed by third parties”.

Page 95, line 6, and in the item relating to the chapter analysis after line 24, strike “44729” and insert “44730”.

Page 99, strike line 22 and all that follows through line 15 on page 100 and insert the following:

1 (e) FLIGHT ATTENDANT FATIGUE.—

2 (1) STUDY.—The Administrator, acting
3 through the Civil Aerospace Medical Institute, shall
4 conduct a study on the issue of flight attendant fa-
5 tigue.

6 (2) CONTENTS.—The study shall include the
7 following:

8 (A) A survey of field operations of flight
9 attendants.

1 (B) A study of incident reports regarding
2 flight attendant fatigue.

3 (C) Field research on the effects of such
4 fatigue.

5 (D) A validation of models for assessing
6 flight attendant fatigue.

7 (E) A review of international policies and
8 practices regarding flight limitations and rest of
9 flight attendants.

10 (F) An analysis of potential benefits of
11 training flight attendants regarding fatigue.

12 (3) REPORT.—Not later than June 30, 2010,
13 the Administrator shall submit to Congress a report
14 on the results of the study.

Page 101, line 1, and in the item relating to the chapter analysis on page 104 after line 9, strike “44730” and insert “44731”.

Page 107, line 23, strike “substantial” and insert “essential”.

Page 126, after line 23, insert the following (and conform the table of contents accordingly):

1 **SEC. 336. IMPROVED VOLUNTARY DISCLOSURE REPORTING**
2 **SYSTEM.**

3 (a) **VOLUNTARY DISCLOSURE REPORTING PROGRAM**
4 **DEFINED.**—In this section, the term “Voluntary Disclo-
5 sure Reporting Program” means the program established
6 by the Federal Aviation Administration through Advisory
7 Circular 00–58A, dated September 8, 2006, including any
8 subsequent revisions thereto.

9 (b) **VERIFICATION.**—The Administrator of the Fed-
10 eral Aviation Administration shall modify the Voluntary
11 Disclosure Reporting Program to require inspectors to—

12 (1) verify that air carriers implement com-
13 prehensive solutions to correct the underlying causes
14 of the violations voluntarily disclosed by such air
15 carriers; and

16 (2) confirm, before approving a final report of
17 a violation, that the violation, or another violation
18 occurring under the same circumstances, has not
19 been previously discovered by an inspector or self-
20 disclosed by the air carrier.

21 (c) **SUPERVISORY REVIEW OF VOLUNTARY SELF**
22 **DISCLOSURES.**—The Administrator shall establish a proc-
23 ess by which voluntary self-disclosures received from air
24 carriers are reviewed and approved by a supervisor after
25 the initial review by an inspector.

26 (d) **GAO STUDY.**—

1 (1) IN GENERAL.—The Comptroller General
2 shall conduct a study of the Voluntary Disclosure
3 Reporting Program.

4 (2) REVIEW.—In conducting the study, the
5 Comptroller General shall examine, at a minimum,
6 whether—

7 (A) there is evidence that voluntary disclo-
8 sure is resulting in regulated entities discov-
9 ering and correcting violations to a greater ex-
10 tent than would otherwise occur if there was no
11 program for immunity from enforcement action;

12 (B) the voluntary disclosure program
13 makes the Federal Aviation Administration
14 (FAA) aware of violations that the FAA would
15 not have discovered if there was not a program,
16 and if a violation is disclosed voluntarily,
17 whether the FAA insists on stronger corrective
18 actions than would have occurred if the regu-
19 lated entity knew of a violation, but FAA did
20 not;

21 (C) the information the FAA gets under
22 the program leads to fewer violations by other
23 entities, either because the information leads
24 other entities to look for similar violations or
25 because the information leads FAA investiga-

1 tors to look for similar violations at other enti-
2 ties; and

3 (D) there is any evidence that voluntary
4 disclosure has improved compliance with regula-
5 tions, either for the entities making disclosures
6 or for the industry generally.

7 (3) REPORT.—Not later than one year after the
8 date of enactment of this Act, the Comptroller Gen-
9 eral shall submit to the Committee on Transpor-
10 tation and Infrastructure of the House of Represent-
11 atives and Committee on Commerce, Science, and
12 Transportation of the Senate a report on the results
13 of the study conducted under this section.

Page 136, line 12, strike “contain a description”
and insert the following:

14 “contain—
15 “(1) a description

Page 136, line 16, strike the period at the end and
insert “; and”.

Page 136, after line 16, insert the following:

16 “(2) in the case of an airport that is used by
17 an air carrier or foreign air carrier for flights in for-
18 eign air transportation, a description of how the air-
19 port operator will provide for use of the airport’s

1 terminal, to the maximum extent practicable, for the
2 processing of passengers arriving at the airport on
3 such a flight in the case of an excessive tarmac
4 delay.

Page 138, after line 10, insert the following:

5 “(c) NOTICE TO PASSENGERS OF AIR CARRIERS.—
6 An air carrier providing scheduled air transportation using
7 aircraft with 30 or more seats shall include on the Internet
8 Web site of the carrier and on any ticket confirmation and
9 boarding pass issued by the air carrier—
10 “(1) the hotline telephone number established
11 under subsection (a);
12 “(2) the email address, telephone number, and
13 mailing address of the air carrier; and
14 “(3) the email address, telephone number, and
15 mailing address of the Aviation Consumer Protection
16 Division of the Department of Transportation for
17 the submission of reports by passengers about air
18 travel service problems.

Page 138, line 11, strike “(c)” and insert “(d)”.

Page 138, strike lines 16 through 25 and insert the
following:

19 “(a) INFORMATION TO BE PROVIDED ON THE INTER-
20 NET.—The Secretary shall establish, and make available

1 to the general public, an Internet Web site that contains
2 a listing of countries that may require an air carrier or
3 foreign air carrier to treat an aircraft passenger cabin
4 with insecticides prior to a flight in foreign air transpor-
5 tation to that country or to apply an aerosol insecticide
6 in an aircraft cabin used for such a flight when the cabin
7 is occupied with passengers.

8 “(b) REQUIRED DISCLOSURES.—An air carrier, for-
9 eign air carrier, or ticket agent selling, in the United
10 States, a ticket for a flight in foreign air transportation
11 to a country listed on the Internet Web site established
12 under subsection (a) shall—

13 “(1) disclose, on its own Internet Web site or
14 through other means, that the destination country
15 may require the air carrier or foreign air carrier to
16 treat an aircraft passenger cabin with insecticides
17 prior to the flight or to apply an aerosol insecticide
18 in an aircraft cabin used for such a flight when the
19 cabin is occupied with passengers; and

20 “(2) refer the purchaser of the ticket to the
21 Internet Web site established under subsection (a)
22 for additional information.”.

Page 153, lines 9 and 10, strike “of each of the first
2 calendar years” and insert “of each year”.

Page 153, after line 23, insert the following (and redesignate subsequent sections, and conform the table of contents, accordingly):

1 **SEC. 421. COMPENSATION FOR DELAYED BAGGAGE.**

2 (a) STUDY.—The Comptroller General shall conduct
3 a study to—

4 (1) examine delays in the delivery of checked
5 baggage to passengers of air carriers; and

6 (2) make recommendations for establishing
7 minimum standards to compensate a passenger in
8 the case of an unreasonable delay in the delivery of
9 checked baggage.

10 (b) CONSIDERATION.—In conducting the study, the
11 Comptroller General shall take into account the additional
12 fees for checked baggage that are imposed by many air
13 carriers and how the additional fees should improve an
14 air carrier's baggage performance.

15 (c) REPORT.—Not later than 180 days after the date
16 of enactment of this Act, the Comptroller General shall
17 transmit to Congress a report on the results of the study.

Page 159, before line 1, insert the following (and conform the table of contents accordingly):

1 **SEC. 424. ANTITRUST EXEMPTIONS.**

2 (a) STUDY.—The Comptroller General shall conduct
3 a study of the legal requirements and policies followed by
4 the Department in deciding whether to approve inter-
5 national alliances under section 41309 of title 49, United
6 States Code, and grant exemptions from the antitrust laws
7 under section 41308 of such title in connection with such
8 international alliances.

9 (b) ISSUES TO BE CONSIDERED.—In conducting the
10 study under subsection (a), the Comptroller General, at
11 a minimum, shall examine the following:

12 (1) Whether granting exemptions from the anti-
13 trust laws in connection with international alliances
14 has resulted in public benefits, including an analysis
15 of whether such benefits could have been achieved by
16 international alliances not receiving exemptions from
17 the antitrust laws.

18 (2) Whether granting exemptions from the anti-
19 trust laws in connection with international alliances
20 has resulted in reduced competition, increased prices
21 in markets, or other adverse effects.

22 (3) Whether international alliances that have
23 been granted exemptions from the antitrust laws
24 have implemented pricing or other practices with re-
25 spect to the hub airports at which the alliances oper-
26 ate that have resulted in increased costs for con-

1 sumers or foreclosed competition by rival (nonalli-
2 ance) air carriers at such airports.

3 (4) Whether increased network size resulting
4 from additional international alliance members will
5 adversely affect competition between international
6 alliances.

7 (5) The areas in which immunized international
8 alliances compete and whether there is sufficient
9 competition among immunized international alliances
10 to ensure that consumers will receive benefits of at
11 least the same magnitude as those that consumers
12 would receive if there were no immunized inter-
13 national alliances.

14 (6) The minimum number of international alli-
15 ances that is necessary to ensure robust competition
16 and benefits to consumers on major international
17 routes.

18 (7) Whether the different regulatory and anti-
19 trust responsibilities of the Secretary and the Attor-
20 ney General with respect to international alliances
21 have created any significant conflicting agency rec-
22 ommendations, such as the conditions imposed in
23 granting exemptions from the antitrust laws.

24 (8) Whether, from an antitrust standpoint, re-
25 quests for exemptions from the antitrust laws in

1 connection with international alliances should be
2 treated as mergers, and therefore be exclusively sub-
3 ject to a traditional merger analysis by the Attorney
4 General and be subject to advance notification re-
5 quirements and a confidential review process similar
6 to those required under section 7A of the Clayton
7 Act (15 U.S.C. 18a).

8 (9) Whether the Secretary should amend, mod-
9 ify, or revoke any exemption from the antitrust laws
10 granted by the Secretary in connection with an
11 international alliance.

12 (10) The effect of international alliances on the
13 number and quality of jobs for United States air
14 carrier flight crew employees, including the share of
15 alliance flying done by those employees.

16 (c) REPORT.—Not later than one year after the date
17 of enactment of this Act, the Comptroller General shall
18 submit to the Secretary of Transportation, the Committee
19 on Transportation and Infrastructure of the House of
20 Representatives, and the Committee on Commerce,
21 Science, and Transportation of the Senate a report on the
22 results of the study under subsection (a), including any
23 recommendations of the Comptroller General as to wheth-
24 er there should be changes in the authority of the Sec-
25 retary under title 49, United States Code, or policy

1 changes that the Secretary can implement administra-
2 tively, with respect to approving international alliances
3 and granting exemptions from the antitrust laws in con-
4 nection with such international alliances.

5 (d) ADOPTION OF RECOMMENDED POLICY
6 CHANGES.—Not later than one year after the date of re-
7 ceipt of the report under subsection (c), and after pro-
8 viding notice and an opportunity for public comment, the
9 Secretary shall issue a written determination as to wheth-
10 er the Secretary will adopt the policy changes, if any, rec-
11 ommended by the Comptroller General in the report or
12 make any other policy changes with respect to approving
13 international alliances and granting exemptions from the
14 antitrust laws in connection with such international alli-
15 ances.

16 (e) SUNSET PROVISION.—

17 (1) IN GENERAL.—An exemption from the anti-
18 trust laws granted by the Secretary on or before the
19 last day of the 3-year period beginning on the date
20 of enactment of this Act in connection with an inter-
21 national alliance, including an exemption granted be-
22 fore the date of enactment of this Act, shall cease
23 to be effective after such last day unless the exemp-
24 tion is renewed by the Secretary.

1 (2) TIMING FOR RENEWALS.—The Secretary
2 may not renew an exemption under paragraph (1)
3 before the date on which the Secretary issues a writ-
4 ten determination under subsection (d).

5 (3) STANDARDS FOR RENEWALS.—The Sec-
6 retary shall make a decision on whether to renew an
7 exemption under paragraph (1) based on the policies
8 of the Department in effect after the Secretary
9 issues a written determination under subsection (d).

10 (f) DEFINITIONS.—In this section, the following defi-
11 nitions apply:

12 (1) EXEMPTION FROM THE ANTITRUST
13 LAWS.—The term “exemption from the antitrust
14 laws” means an exemption from the antitrust laws
15 granted by the Secretary under section 41308 of
16 title 49, United States Code.

17 (2) IMMUNIZED INTERNATIONAL ALLIANCE.—
18 The term “immunized international alliance” means
19 an international alliance for which the Secretary has
20 granted an exemption from the antitrust laws.

21 (3) INTERNATIONAL ALLIANCE.—The term
22 “international alliance” means a cooperative agree-
23 ment between an air carrier and a foreign air carrier
24 to provide foreign air transportation subject to ap-

1 proval or disapproval by the Secretary under section
2 41309 of title 49, United States Code.

3 (4) DEPARTMENT.—The term “Department”
4 means the Department of Transportation.

5 (5) SECRETARY.—The term “Secretary” means
6 the Secretary of Transportation.

Page 183, line 6, insert “, Newark Liberty Airport,”
before “and”.

Page 183, after line 6, insert the following (and con-
form the table of contents accordingly):

7 **SEC. 514. GAO STUDY ON COMPLIANCE WITH FAA RECORD**
8 **OF DECISION.**

9 (a) STUDY.—The Comptroller General shall conduct
10 a study to determine whether the Federal Aviation Admin-
11 istration and the Massachusetts Port Authority are com-
12 plying with the requirements of the Federal Aviation Ad-
13 ministration’s record of decision dated August 2, 2002.

14 (b) REPORT.—Not later than one year after the date
15 of the enactment of this Act, the Comptroller General shall
16 submit to Congress a report on the results of the study.

Page 193, after line 9, insert the following:

17 (3) CONSULTATION.—In conducting the study,
18 the National Academy of Sciences shall consult with
19 the exclusive bargaining representative of employees

1 of the Federal Aviation Administration certified
2 under section 7111 of title 5, United States Code,
3 and the Administrator of the Federal Aviation Ad-
4 ministration.

Page 193, line 10, strike “(3)” and insert “(4)”.

Page 194, line 8, strike “and” at the end.

Page 194, line 14, strike the period at the end and
insert “; and”.

Page 194, after line 14, insert the following:

5 (4) an assessment of the Administration’s orga-
6 nizational delegation and designee programs and a
7 determination as to whether the Administration has
8 sufficient monitoring and surveillance programs in
9 place to properly oversee these programs.

Page 195, strike lines 7 through 18 and insert the
following:

10 (a) SAFETY INSPECTORS.—The Administrator of the
11 Federal Aviation Administration shall increase the number
12 of safety critical positions in the Flight Standards Service
13 and Aircraft Certification Service for a fiscal year com-
14 mensurate with the funding levels provided in subsection
15 (b) for the fiscal year. Such increases shall be measured

1 relative to the number of persons serving in safety critical
2 positions as of September 30, 2008.

Page 195, strike line 23 and all that follows through
line 1 on page 196 and insert the following:

- 3 (1) \$45,000,000 for fiscal year 2010;
4 (2) \$138,000,000 for fiscal year 2011; and
5 (3) \$235,000,000 for fiscal year 2012.

Page 196, after line 12, insert the following:

- 6 (d) SAFETY CRITICAL POSITIONS DEFINED.—In this
7 section, the term “safety critical positions” means—
8 (1) aviation safety inspectors, safety technical
9 specialists, and operations support positions in the
10 Flight Standards Service (as such terms are used in
11 the Administration’s fiscal year 2009 congressional
12 budget justification); and
13 (2) manufacturing safety inspectors, pilots, en-
14 gineers, Chief Scientist Technical Advisors, safety
15 technical specialists, and operational support posi-
16 tions in the Aircraft Certification Service (as such
17 terms are used in the Administration’s fiscal year
18 2009 congressional budget justification).

Page 216, line 22, strike “, at a minimum”.

Page 234, line 20, insert “**AND STATEN ISLAND**” before the comma (and conform the table of contents accordingly).

Page 234, line 24, insert “and Staten Island” before the comma.

Page 235, line 19, insert “and Staten Island” before the comma.

Page 239, after line 23, insert the following:

1 (c) IMPACT OF WIND TURBINES ON RADAR SIG-
2 NALS.—In conducting the study, the Administrator shall
3 consider the impact of the operation of wind turbines, indi-
4 vidually and in collections, on radar signals and evaluate
5 the feasibility of providing quantifiable measures of num-
6 bers of turbines and distance from radars that are accept-
7 able.

Page 239, line 24, strike “(c)” and insert “(d)”.

Page 239, line 19, insert “Agriculture,” before “and Energy”.

Page 240, line 3, insert “, Committee on Agriculture,” after “Services”.

Page 240, after line 7, insert “Committee on Agriculture, Nutrition and Forestry” after “Security”.

Page 240, after line 8, insert the following (and conform the table of contents accordingly):

1 **SEC. 824. WIND TURBINE LIGHTING.**

2 (a) STUDY.—The Administrator of the Federal Aviation Administration shall conduct a study on wind turbine lighting systems.

5 (b) CONTENTS.—In conducting the study, the Administrator shall examine the following:

7 (1) The effect of wind turbine lighting on residential areas.

9 (2) The safety issues associated with alternative lighting strategies, technologies, and regulations.

11 (3) Potential energy savings associated with alternative lighting strategies, technologies, and regulations.

14 (4) The feasibility of implementing alternative lighting strategies or technologies.

16 (5) Any other issue relating to wind turbine lighting.

18 (c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to Congress a report on the results of the study, including information and recommendations concerning the issues examined under subsection (b).

1 **SEC. 825. LIMITING ACCESS TO FLIGHT DECKS OF ALL-**
2 **CARGO AIRCRAFT.**

3 (a) STUDY.—Not later than 180 days after the date
4 of enactment of this Act, the Administrator of the Federal
5 Aviation Administration shall, in consultation with appro-
6 priate air carriers, aircraft manufacturers, and air carrier
7 labor representatives, conduct a study to identify a phys-
8 ical means, or a combination of physical and procedural
9 means, of limiting access to the flight decks of all-cargo
10 aircraft to authorized flight crew members.

11 (b) REPORT.—Not later than one year after the date
12 of enactment of this Act, the Administrator shall submit
13 to Congress a report on the results of the study.

Page 242, line 7, strike “2008 through 2011” and
insert “2009 through 2012”.

Page 247, line 5, strike “2008 through 2011” and
insert “2009 through 2012”.

Page 248, line 5, strike “2008 through 2011” and
insert “2009 through 2012”.

Page 250, strike line 20.

Page 251, line 2, strike “2008” and insert “2009”.

